

Chevy Chase Village Board of Managers' Meeting

September 13, 2021

***Note:** These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff, or others in attendance.*

BOARD OF MANAGERS

Elissa A. Leonard, Chair	Present
Robert C. Goodwin, Jr., Vice Chair	Present
David L. Winstead, Secretary	Present
Gary Crockett, Treasurer	Present
Nancy E. Watters, Assistant Treasurer	Present
Linda Willard, Member	Present
Louis Morsberger, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Ellen Sands, Director of Municipal Operations	Present
Jessica Gebhart, Permitting & Code Enforcement Coordinator	Present
Demetri Protos, Finance Director	Present
Ruby Brown, Administrative & Constituent Services Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Elissa A. Leonard, Chair of the Board of Managers, called the meeting to order at 7:32 p.m. Ms. Leonard stated that prior to the Board's regular meeting, the Chevy Chase Village Board of Managers convened a virtual closed session beginning at approximately 7:00 p.m. pursuant to Section 3-305(b) (1) of the General Provisions Article, Annotated Code of Maryland, to discuss personnel matters that affect specific individuals. Ms. Leonard stated that during this closed session the Board voted on a contract and compensation for the Village Manager.

Approval of Minutes from the Board's Previous Meeting

Minutes of the Board's Regular Monthly Meeting held July 12, 2021 were circulated to the Board prior to the meeting.

Mr. Winstead moved to approve the minutes of the Board's Regular Monthly Meeting, held July 12, 2021, as drafted. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

Consent Agenda—Tree Removal Appeals

A-2647 (Tree Consent Agreement)

Mr. Michael Friedman and Ms. Adena Friedman

16 Magnolia Parkway

Removal of two Southern Magnolia trees, each measuring twelve (12) inches in diameter, and two Flowering Cherry trees, one measuring ten (10) and the other twelve (12) inches in diameter, to accommodate the implementation of a proposed landscape plan.

NOTE: Urban Forest Ordinance, Sec. 17-4(3): “The [consent agreement] may be removed from the Consent Agenda only at the request of two (2) or more members of the Board...”

There were no requests from Board Members to remove Case A-2647 from the Consent Agenda. The Consent Agreement was deemed approved.

A-2648 (Tree Consent Agreement)

Mr. Michael Friedman and Ms. Adena Friedman

23 West Irving Street

Remove of one Ash tree measuring eight (8) inches in diameter and one Elm tree measuring eight (8) inches in diameter to accommodate the implementation of a proposed landscape plan.

NOTE: Urban Forest Ordinance, Sec. 17-4(3): “The [consent agreement] may be removed from the Consent Agenda only at the request of two (2) or more members of the Board...”

There were no requests from Board Members to remove Case A-2648 from the Consent Agenda. The Consent Agreement was deemed approved.

Appeals, Special Permit & Variance Requests

A-7986 (Variance Request)

Mr. Andrea Pescatori & Ms. Cecilia Caglio

37 Quincy Street

Maintain a fence which was installed, and which measures six (6) feet in height along the east (Brookville Road) property line. The fence extends for a length of fifty-five (55) feet at which point it diminishes to a height of four (4) feet. The prior variance was issued conditioned on the fence being placed west of a line of trees located along the east property line. Instead, the fence was installed to the east of the line of trees, which was not permitted. This amendment seeks to authorize the placement of the fence in its current location.

Mr. Crockett moved to approve the variance request in Case A-7986 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance request. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard and Mr. Morsberger voted in favor of the motion. The motion passed.

A-7978 (Special Permit Request)

Ms. Julia Anne Matheson & Mr. Timothy G. Slagle

5500 Kirkside Drive

Replace a wood board fence located in the Grove Street public right-of-way measuring six (6) feet in height.

Mr. Crockett moved to approve the Special Permit request in Case A-7978 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the Special Permit request. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard and Mr. Morsberger voted in favor of the motion. The motion passed.

A-7985 (a) & (b) (Special Permit Request)

Mr. Clifton Dalgard & Ms. Elizabeth Dalgard

29 Hesketh Street

Maintain a driveway which was widened and which measures a maximum of:

- a) twenty-one (21) feet in width on private property, exceeding the allowable width on private property by six (6) feet; and
- b) twenty-one (21) feet in width in the Cedar Parkway public right of way, exceeding the allowable width in the public right-of-way by eleven (11) feet.

Mr. Morsberger moved to approve the Special Permit requests in Case A-7985 (a) & (b) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the Special Permit requests. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard and Mr. Morsberger voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. *No formal action was taken by the Board.*

Matters for Board Discussion, Consideration & Possible Adoption

Resolution No. 09-01-21: An Ordinance to amend Chapter 3, Sec. 3-6, "Village Manager", to authorize the Village Manager to determine that certain vaccinations and inoculations are required in order for all employees to be fit to perform the essential duties of their positions and to avoid endangering the health or safety of themselves or others in the course of their employment.

Mr. Winstead moved to approve Resolution No. 09-01-21, as drafted. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard, Ms. Watters, and Mr. Morsberger voted in favor of the motion. The motion passed.

Ms. Watters left the meeting at approximately 7:55 p.m.

Board Discussion – Consideration of a Contract to Perform Stormwater Survey and Regulatory Review. *The Board indicated support of the proposal and staff was directed to pursue both initiatives.*

Contract Authorization Request

- Consulting Engineering Services: *Charles P. Johnson & Associates, Inc. (CPJ)*

Mr. Winstead moved to authorize the Village Manager to enter into a contract with Charles P. Johnson Associates, Inc., in substantially the form provided, for the performance of consulting engineering services. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard and Mr. Morsberger voted in favor of the motion. The motion passed.

Resolution No. 09-02-21: An Ordinance to amend the fiscal year 2022 budget to transfer \$24,800 from reserves to the “Public Works Vehicle Purchases” line item in the Capital Equipment budget to fund the purchase of one fully outfitted trash collection truck and one fully outfitted pick-up truck.

Mr. Crockett moved to approve Resolution No. 09-02-21, as drafted. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard and Mr. Morsberger voted in favor of the motion. The motion passed.

Purchase Authorization Requests

- Public Works – Fully Outfitted Trash collection truck
(*Johnson Truck Center - \$172,000*)
- Public Works – Fully Outfitted Pickup truck
(*Criswell Chevrolet, Inc. - \$44,800*)

Ms. Willard moved to authorize the Village Manager to purchase a fully outfitted trash collection truck in an amount not to exceed \$172,000 and a fully outfitted pickup truck in an amount not to exceed \$44,800. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

Commission & Committee Matters

Personnel Commission

- Board reappointment of Orrin Baird (Oliver Street) to serve as Chair, term ending September 2022
- Board reappointment of Gregory Ossi (Primrose Street) to serve a three-year term as a member, term ending September 2024

Ms. Willard moved to appoint to the Personnel Commission Orrin Baird of Oliver Street, to serve as Chair, term ending September 2022 and Gregory Ossi of Primrose Street, to serve as a

member, term ending September 2024. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted on the Village website prior to the meeting. *No formal action was taken by the Board.*

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed. The meeting adjourned at 8:15 p.m.

Attested by: Shana Davis-Cook, Village Manager

FINAL.